



#13 9200/2123

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT

In re application of:) Docket No: SUNMP099
)
Sutera, et al.) Group Art Unit: 2123
)
Application No: 09/430,350) Examiner: Jones, H.
)
Filed: October 29, 1999) Date: June 11, 2003
)
For: METHOD FOR REDUCING)
NOISE IN INTEGRATED)
CIRCUIT LAYOUTS)

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: United States Patent & Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450 on June 11, 2003

Signed: _____

Neely J. Weldy

REQUEST FOR WITHDRAWAL OF HOLDING OF ABANDONMENT

Commissioner for Patents
Alexandria, VA 22313-1450

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JUN 17 2003

Technology Center 2100

Dear Sir:

Applicants have received a Notice of Abandonment dated May 20, 2003 ("the Notice"), a copy of which is attached. The Notice states that the subject application is abandoned because a response to the Office Action dated October 3, 2002 was not filed. As Applicants submitted a timely response to this Office Action, pursuant to 37 C.F.R. § 1.8(b), Applicants request that the holding of abandonment be withdrawn.

As required by 37 C.F.R. § 1.8(b)(2), Applicants are attaching copies of the previously submitted Facsimile Coversheet and Request for Continued Examination (RCE), each of which includes a Certificate of Facsimile indicating that the paper was transmitted via facsimile to the United States Patent & Trademark Office at facsimile number (703) 746-7238 on February 3, 2003. Applicants also are attaching a copy of the Auto-Reply Facsimile Transmission received from the USPTO, with these papers.

As required by 37 C.F.R. § 1.8(b)(3), Applicants' undersigned representative hereby attests on the basis of personal knowledge to the timely facsimile transmission of the Request for Continued Examination (RCE) on February 3, 2003.

In view of the foregoing, Applicants submit that they have complied with the provisions of 37 C.F.R. § 1.8(b). Accordingly, Applicants request that the holding of abandonment be withdrawn and that this application be examined in accordance with the Request for Continued Examination. In the event a telephone conversation would be helpful, the undersigned may be reached at (408) 749-6903. If any fees are due in connection with the filing of this paper, then the Commissioner is authorized to charge such fees to Deposit Account No. 50-0805 (Order No. SUNMP099).

Respectfully submitted,
MARTINE & PENILLA, L.L.P.

A handwritten signature in black ink, appearing to be 'A. Penilla', with a long horizontal stroke extending to the right.

Albert S. Penilla, Esq.
Reg. No. 39,487

710 Lakeway Drive, Suite 170
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UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/430,350

10/29/1999

MASSIMO SUTERA

P4158/PJM

7163

32291

7590

05/20/2003

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SUNMPO99

EXAMINER

JONES, HUGH M

ART UNIT

PAPER NUMBER

2123

12

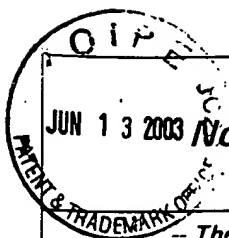
DATE MAILED: 05/20/2003

Please find below and/or attached an Office communication concerning this application or proceeding.


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Notice of Abandonment

Application No. 09/430,350	Applicant(s) Sutera et al.	
Examiner Hugh Jones	Art Unit 2123	

The MAILING DATE of this communication appears on the cover sheet with the correspondence address.

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This application is abandoned in view of:

1. ☒ Applicant's failure to timely file a proper reply to the Office letter mailed on Oct 3, 2002.
 - (a) ☐ A reply was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply (including a total extension of time of _____ month(s)) which expired on _____.
 - (b) ☐ A proposed reply was received on _____, but it does not constitute a proper reply under 37 CFR 1.113(a) to the final rejection.

(A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
 - (c) ☐ A reply was received on _____ but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).
 - (d) ☒ No reply has been received.
2. ☐ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
 - (a) ☐ The issue fee and publication fee, if applicable, was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).
 - (b) ☐ The submitted issue fee of \$ _____ is insufficient. A balance of \$ _____ is due.

The issue fee required by 37 CFR 1.18 is \$ _____. The publication fee, if required by 37 CFR 1.18(d) is \$ _____.
 - (c) ☐ The issue fee and publication fee, if applicable, has not been received.
3. ☐ Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).
 - (a) ☐ Proposed new formal drawings were received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply.
 - (b) ☐ No corrected drawings have been received.
4. ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
5. ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.
6. ☐ The decision by the Board of Patent Appeals and Interferences rendered on _____ and because the period for seeking court review of the decision has expired and there are no allowed claims.
7. ☐ The reason(s) below:



**HUGH JONES
PRIMARY EXAMINER
ART UNIT 2123**

Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.